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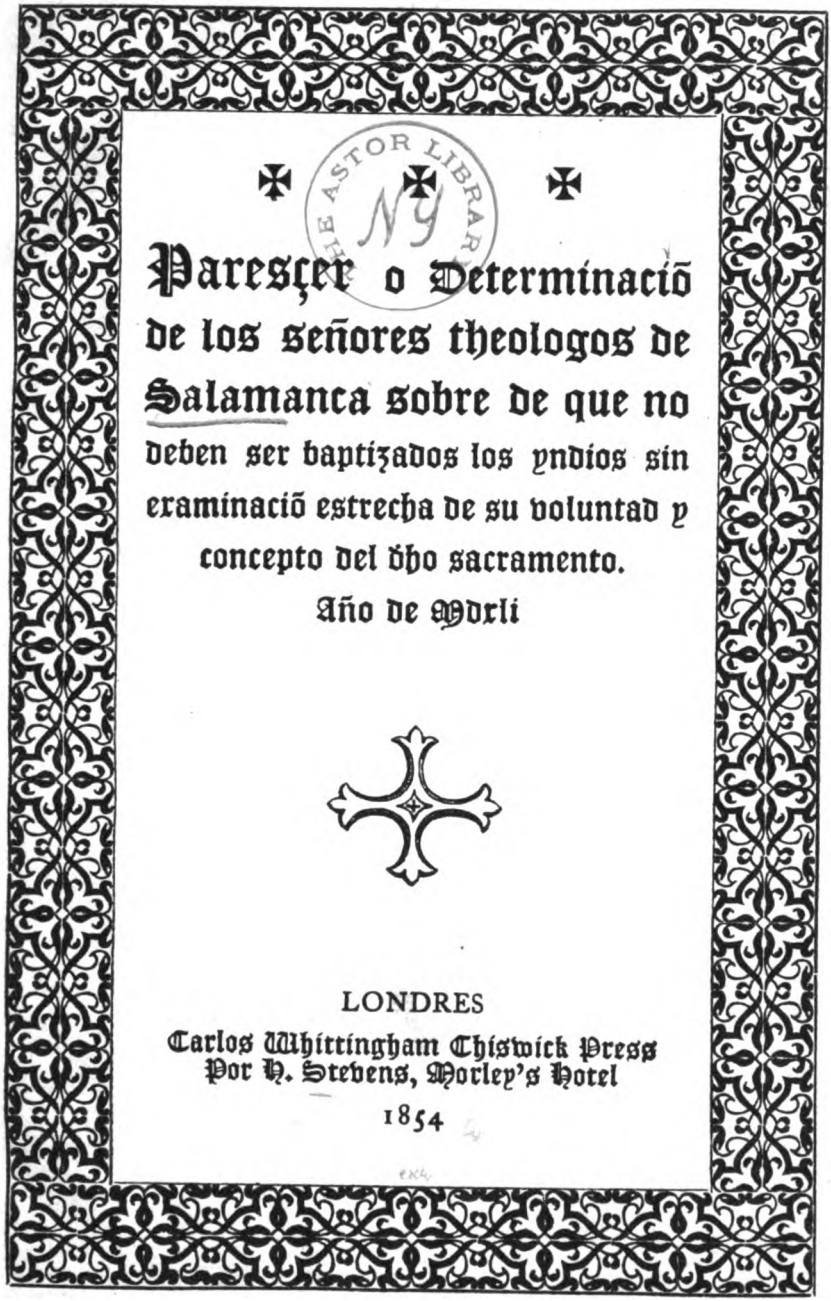

Paresçer o Determinaciõ de los señores theologos de Salamanca sobre de que no deben ser baptizados los yndios sin eraminaciõ estrecha de su voluntad y concepto del ôho sacramento.

Año de Mdxli

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To

Sir Thomas Phillipps, Bart.

the Prince of English Collectors of historical

Manuscripts,

This first edition in print of the celebrated

Opinion or Determination

of the renowned Faculty of Theologians of the University of Salamanca upon the grand question whether the Indians of America who had been baptized could be made slaves is

dedicated.

When the Emperor Charles the Fifth, at the persistent and prolonged instigation of Las Casas and his friends, determined to issue the New Laws of the Indies for the amelioration of the condition of the Indians in America, it was deemed prudent first to draw the fire of the theological batteries of this famous University. From the time of Columbus it had been the royal practice whenever a leap in the dark was to be taken first to call together a junta of theologians and let them wrangle over the opinions of the Fathers and hand in their own pronunciamentos. Las Casas had crossed the wide ocean many times in pursuance of his benevolent schemes, had been made 'Protector of the Indians' by Ximenes, had won and maintained the sympathy and hearty cooperation of Charles from his boyhood, had gained many friends and more enemies in the Church on both sides of the Atlantic, and now in mdxlj was about to bring his cause to a triumphant issue. He well understood the implacable hatred of himself and his cause by many high in office of State

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and Church, both in Spain and in America, in the imperial household and in the Council of the Indies, in the Convents and in the Universities, but he relied on Charles to thwart their malignity.

The Emperor asked all parties at home and beyond seas for their opinions respecting the treatment of the Indians, and finally, on the hint of Las Casas, referred, with all the papers, the controlling question of baptism and slavery to the theologians of Salamanca. The question had many sides, some tender and delicate. It was well known that many of the bishops, the highest in Church places, were also high in the Council of the Indies, and enjoyed personally many Christian perquisites in the Indies (Mexico and Peru), the enjoyment of which would have been mortal sins in Spain. These scandals were well known to Alma Mater. The imperial question therefore was so theologically and scripturally bisected and subdivided that in this over-learned Opinion the Evil One himself would be puzzled to understand whether the question was decided in the affirmative or the negative. However, the document occupies an important niche in American history, and is worth preserving in print as a sample of theological hair-splitting where great personal private interests are at stake. The Opinion dated the first of July, mdxlj, is official, and bears the autograph signatures of eight distinguished members of that Faculty. Nevertheless, without vouching for the soundness of the theology, or the strength of the arguments, or the value of the Opinion, I have pleasure in inscribing the first edition of this historical paper to my old friend Sir Thomas Phillipps.

Henry Stevens of Vermont.

Morley's, London, vth Nov. mdccclix.

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✠

La determinaciõ q̃ embiarõ los theologos de Salamanca sobre bautismo ꝗ los Indios.

n quadam insulay oceani maris, que sub imperio et ditione sunt gloriosissimi imperatoris et hispaniay Regis orta est questio inter eclesiasticos circa baptismuz barbaroy illius Regionis indigenarum, quibusdã contendentib⁹ q̃ generaliter omnes illi barbari insulani, qui sub gubernatione hispanoy sunt deberent baptizari, non quidem inuiti, sed tñ non expectata longa instructione aut predicatione, sed potius intra aliquem breuẽ et certum terminuz. et ita dicuntur tentasse et incepisse facere, etiam edicto proposito, vt intra certum diem omnes barbari baptizentur, et idem dicunt et faciunt de seruis infidelibus qui ad illas Regiones ad seruitiuz hispanoy traducti sunt. Alii contra asserunt, barbaros non esse baptizandos sine graui consilio et diuturna institutione et matura exploratione, de mente et uoluntate ipsorum barbarorum circa sacramentum baptismi et fidem ac Religionem christianam.

De hac controuersia consulti nonulli ex magistris et theologis vniuersitatis salmanticensis, qui hunc libellum subscripsimus, salua autoritate et censura eclesię Romanę, et bona uenia illorum qui aliter sentire possent, in sequẽtez modum Respondemus.

Primũ omniuz dicimus, q̃ de hac materia et questione non uidentur esse uarię sententię uel opiniones sanctoy aut theologoruz, ut non raro solet contingere in alijs causis et questionibus circa Religionem et mores, sed

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putam⁹, satis conuenire de hac re inter doctos et doctores. Et certe quãuis salua pietate possint esse de nonullis questionibus inter catholicos uarię sententię sed tamen in traditione sacramentorũ et maxime circa baptismũ, qui ianua est christianę Religionis, uitari deberent omnes contentiones, et maxime apud nationes illas barbaras, inter quas sine scandalo huiusmodi controuersię contingere non possunt. sequendum est, in hac re presertim, consiliũ Pauli. 1º ad cor. 1. obsecro autem uos frẽs per nomen dñi nri Iesu christi, ut idipsũ dicatis omnes, et non sint in uobis schismata. 2º dicimus q̃ in causis fidei et Religionis non sufficit habere bonum zelum et pium studium ad augendam et promouendam Religionẽ/ sed oportet zelum dirigere et ordinare non ex animi impetu, sz ꝯm canones et Regulas scripturarum, ecclesię et sanctorũ. ne simus de numero illorũ de quibus Paulus ad ro. 10. testimoniũ enim perhibeo illis, q̃ emulationẽ quidem dei habent, sed non secũdũ sciam, atq̃ ita qui priorem controuersię sententiam tuentur laudandi quidem sunt de pio studio et amore fidei et Religionis sicut in simili laudatur Princeps Sisebutus a concilio toletano in ca. de iudeis. 45. distin. nihilominus errare possunt, cum sint homines; Deinde ad questionem propositam directe respondentes ponimus talem conclusionem.

Barbari illi infideles non antea sunt baptizandi q̃ sint sufficienter instructi, non solum in fide, sz etiam in moribus christianis, saltem q̃tum necessarium est ad salutem, nec priusq̃ sit verisimile, eos intelligere quid recipiant, aut expectent, et profiteantur, in baptismo, et uelint uiuere et perseuerare in fide et Religione christiana.

Hanc conclusionem certe autores et doctores qui hodie extant, et a theologis leguntur, non uidentur reuocare in dubiũ, sz omnes satis concorditer in illam conueniunt. Unde Magister sniarũ. d. 6. 4'. et in illum locũ doctores dicunt, ante baptismũ oportere precedere cathe-

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cismuz qui tantuz sonat. ꝗtuz instructio et doctrina, et si debet precedere doctrina, certe non potest breuior aut minor doctrina assignari aut limitari, ꝗ quantum necessaria sit ad salutem, et licet aliqui doctores solum meminerint de doctrina et instructione fidei, certum est eos non intelligere solum de articulis fidei, neqꝫ excludere doctrinam moruz cũ non minus sit necessaria ad salutem quo ad prima precepta, ꝗ fides articuloꝝ. Neque minus est de fide adulteriuz, periurium, furtum, et homicidium esse peccatum, ꝗ christum esse deum et hominz. vnde sicut non est aliquis adultus baptizandus sine fide christi, ita nec sine fide preceptorum. Et maxime hoc videtur seruanduz circa istos barbaros, qui intolerabiles errores dicuntur habere, non solum de deo sed etiam de moribus. Preterea doctores in. 4.º d. 4. determinant, ꝙ adultus non est baptizandus si constat ꝙ est in peccato mortali. Quam sniam. s. tho. confirmat et probat. 3ª parte. q. 68. 92. 4. Primo ꝗ per baptismuz homines christo incorporantur, secundum illud ad gala. 3.º quicumqꝫ in christo baptizati estis, christum induistis. qui autem est actu in peccato non potest esse christo coniunctus non ꝯ est baptizandus. 2.º quia in operibus christi et ecclesię nihil debet fieri frustra, frustra autem esset, baptizare illuz qui actualiter perseuerat in peccato, cum baptismus ordinetur ad remissionem peccatoꝝ, iuxta illud actuum. 2.º baptizetur unusquisqꝫ uestrum in nomine Jesu christi in remissionem peccatoruz uestroꝝ. 3.º quia in sacramentalibus signis non debet esse aliqua falsitas, est autem signuz falsum cui res signata non r: Ex hoc autem ꝙ aliqꝫ lauandum se prebet per baptismuz significat, ꝙ se disponat ad interiorem ablutionem quod non contingit de eo qui habet propositum persistendi in peccato. hec. s. tho. Constat autem de istis barbaris ꝙ sunt omnes in peccato mortali non solum infidelitatis, sed in multis alijs peccatis mortalibus, a quibus liberari non possunt nisi saltē proponant relin-

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cati mortalis. Unde temeraria consuetudo et licencia est, dare tantum sacramentuz, ꝯtum est sacramentuz baptismi, eis de qb9 aut nulla aut exigua precessit probatio et examinatio, an sint in peccato mortali necne quales Isti barbari videntur esse.

Et ut alia omnia cessarent diuus Augu. vnus satis erat ad ponenduz finem huic disputationi. qui in libro de fide et operibus hanc questionem ex professo et ex intentione disputat, et definit, et diserte determinat, q̃ non satis est, q̃ baptizandi instruantur in fide priusꝯ recipiantur ad baptismuz, sz q̃ necesse est ut non solum doceant7 de moribus christianis, sz etiam ut ipsi baptizandi profiteantur, se obseruaturos christianos mores. imo q̃ re et opere prius Religiose et pie uiuere incipiant. Unde sciendum est, q̃ hec controuersia que nuper dicitur orta in insula illa, vt etiam iactata fuisse temporibus Augu. asserentibus nonullis satis esse ut cathecumini ad baptismuz admitterentur in fide instructi, neqꝫ opus esse ut de moribus prius docerentur, neqꝫ ꝯtum ad hoc vitam mutarent ante bap. Contra quos Augu. librũ illum scripsit. in quo sepe et expresse ponit conclusionez istam, quam in hoc libello asserimus, et probat multis testimonijs scripturaꝝ. Ut illo loco Marci. 16. euntes in mundũ vniuersum predicate euangelium omni creaturę qui crediderit et baptizatus fuerit saluus erit. etc.

Ex quo patet q̃ prius predicanduz est euangelium ꝯ baptisma conferendum. Predicare autem euangeliuz non est solum articulos fidei, sed etiam mores christianos, qui utiqꝫ continentur in euangelio, docere. Item ex illo loco ephe. 4. deponite uos secundum pristinam conuersationem ueterem hominez, renouamini autem spu mentis vestrę et induite nouuz hominem. Et domin9 Math. 9. Nemo assuit panum nouuz vestimento veteri, et nemo mittit uinum nouuz in utres ueteres. Ex quo arguit Augu. q̃ cum per baptismuz fiat nouus homo comode

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fieri non potest, nisi baptizandi prius exuant veterem hominez, non solum relinquentes infidelitatez et impietatez sed etiam mores infidelitatis, quod apis in eodem loco declarat, qui furabatz iam non furetur, et cetera, Quibus exequitur, quid sit deponere veterem hominez et induere nouuz.

Item ex illo loco Math. 3. ubi Ioanes baptista Uenientes ad baptismuz non solum de fide, sz de opib9 admonebat Unde et militibus dicentibus quid faciemus, non dixit interim credite, et baptizamini, post audietis quid facere debeatis, sed ante dixit neminem concusseritis, nulli calũniam feceritis, sufficiat uobis stipendiuz uestrum.

Item probat ex dicto domini nolite sanctum dare canib9 Math. 7. Nec dubium est de sanctitate baptismi, et uenientes ad bapm non mutatis moribꝰ adhuc canes esse.

Item ex eo loco actuuz. 2. agite pñiam et baptizetur unusquisqꝫ uestrum. etc. Neqꝫ enim est uera pñia nisi mutatis morib9. Et tandem qm liber iste grandior est et totus in hoc argumento consumitur, qui de nra conclusione dubitauerit, legat librum illum et desinet dubitare.

Eandem sñiam persequitur idem Augu. in libro de cathecizandis rudib9. ubi etiam formulam ponit predicationis et sermonis, qui ad cathecuminos haberi debet, non solum de fide, sz etiam distincte et particulatim de morib9, et concludit dicens q in fine interrogandus est cathecuminus, an hec credat, atqꝫ obseruare desideret. q cum responderit soleniter, utiqꝫ signandus est et ecclię more tractandus.

Nec minus clare ꝗ Augu. eandem sñiam ponit dionisius Pauli discipulus, qui in dicto. c. 2. ecclesiasticę hierar. ubi ritum recipiendi cathecuminuz ad baptismuz describens, Uenienti, inquit, ad bapm contestatur Pontifex oportere euz ex integro totoqꝫ corde accedere ad deum per cuncta perfectum et immaculatuz, tum diuinę quoqꝫ conuersationis ac uitę illi explicans rõnem, an ita uelit

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deinceps uiuere scisscitatur, quod ubi ille pollicitus fuerit, Imponit eius capiti manũ etc. ubi patet q̃ non solum de fide sed etiam de morib⁹ habenda est in hoc casu ratio.

Idem aperte sentit Origenes Homilia. 22. super Lucam, ubi tractans illa uerba Ioanis baptistę, genimina vipar̃ quis ostendit uobis fugere a uentura ira, manens inquit in pristino statu, et mores suos et consuetudinem non relinquens, nequaq̃ rite ad bap^m uenit. et plura in hanc sn̄iam. Ex quo constat Veteres illos p̃res exigere a baptizandis non solum fidem, sz uitam et mores. tantum abest ut barbaros ita turmatim baptizarent, ex quib⁹ vnus habet plures vxores, alius reliquit suam et habet alienam, alius est fenerator, alius alio intolerabili vitio laborat.

Et facit ad confirmationez huius sn̄ię et conclusionis q̃ uenientes ad bap^m renunciant diabolo et pompis eius, cuius professionis meminit etiam tertulianus vetustissimus autor libro de corona militis, et dionisius. 2. c. ecclesiastice hierā. non esset autem seria et simpler talis promissio, sz illusoria in eo qui retentis malis morib⁹ ē̃t fideliter crederet in christum.

Et possent multo plura adduci ad confirmandaz conclusionez nisi esset ociosum in re non dubia uti argumentis et testimonijs non necessarijs maxime cum diuersa sn̄ia non uideat' posse niti aliquib⁹ scripturis aut autoribus. Et Aug⁹ in illo libro. R^b et satisfacit obiectionib⁹ in contrariuz.

Ex conclusione infertur et patet cor^m q̃ temerariuz et periculosum v̄, ita passim et sine maiore diligentia et examinatione baptizare barbaros. Unde multa absurda neq̃ satis pia accidere necesse est, quale est illud qd̄ in hispania uidemus, vt multi qui ad bap^m recepti sunt, excludantur et repellant' ab omnib⁹ ecclesiasticis sacramentis, qui tamen ut dictum est statim post bap^m eucharistię sacramento comunicari debuissent, si antiq̃ ecclesię tradi-

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tionem retineremus. Atq; ita fit vt dum q̃ plurimos festinam⁹ habere baptizatos, paucos habeamus vere christianos non solum quo ad mores sz etiam quo ad fidem. Prouerbium est fat cito si fat bene, et incredibile dictu est q̃tum more rebus et negotijs festinatione adijciat⁷ et vt est in adagio hispaniensi, sepe compendiuz, dispendiuz est q̃ si hęc diligentia in alijs infidelib⁹ obseruanda est, multo magis necessaria vt erga istos barbaros qui suapte nã dñr hebetes et parum cõsiderantes quid illis expediat, et mirum in moduz inconstantes. Hęc nobis de re proposita uisa sunt salua semper saniore snia et Judicio. Salmaticę p̃ma Jullii añi 1541.

Fr. corduben⁷ decanus Facultatis.

Fr. Francisc̃ Victoria

Fr. Magr Joannes de Santmjllã F.

Fr. Dñicus Soto

Frater andreas uega magr.

Magr frãcisc⁹ sancho.

F. magr. g. galh⁷.

magister. Jo. egidi⁹ de nava.

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